No. (1)

Supreme Court, U.S.
FILED
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IN THE

SUPREME COURT OF THE UNITED STATES

TERM, 1995

DAVID HENRY HAAS
Adjunct Professor, J.D.

vs.

UNITED STATES POSTAL SERVICE
c/o General Mail Facility
Pittsburgh, PA

PETITION FOR WRIT OF CERTIORARI TOTHE UNITED STATES SUPREME COURT

PETITION FOR WRIT OF CERTIORARI

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52PP

QUESTION PRESENTED? ? ?

This specific question is one of a matter of national and personal attention for the overall well being of national and personal safety, health and welfare of one and all, promulgated by the U.S. Postal Service personnel within.

1. To my overwhelming surprise and logical jurisprudence and basic common sense issue before us all, Honorable Justices, in this grave matter of concern. The Appellant allegations and facts, eye-witnesses and connections of overwhelming concern of justice has not been afforded sound Constitutional connection sin the matter of the First, the Fifth and the Fourteenth Amendment of our U.S. Constitution. An overshadowing overlay of bad faith and omission of dissimilation of affects of foregoing substitutive due process. This caused the Appellant to be a reciprocate of fraud, slander, and affirmations of direct bad faith issues, in, out and around. Based upon statutes Title VII and above mentioned provisions of civil rights within the Constitution.

2. The Appellant is basing his merited considerations on specific and significant arguments which are well document throughout this advertment, namely that of (omitted for oral argument) and other mentioned ones. A warranted consideration to multi-various claims, opinions, facts and overwhelming evidence has to be rebutted and distributed information must be presented to date upon argument. This is a strong Constitutional discovery for the Appellant that needs prudent discernment in severe discriminatory practices coupled by and with proper redress of war-

ranted concerns that the injured worker, Appellant, can recapitulate the damages from the U.S. Postal services (cause and effect).

3. My basic civil rights and affirmative action under the law ADA and Title VII is at the absolute threshold of implicit and primary considerations for a favorable decision to the Appellant. Not just for my sake, Honorable Justices, but for all disabled people throughout this land that have disabilities to cope with. I am coming to you as a disabled Viet Nam veteran, a U.S. qualified citizen, and a disabled worker under the A.D.A. Henceforth now this adoption of verbatim form requires (anew) for the Appellant that the U.S. Post Office and its personnel for failing to exercise prudent care to the injured worker in times of great need, coupled with the intentional great harm against the Appellant in regards to ADA laws.

4. The risk of harm due to the injuries is the harm suffered of other intentional afflictions caused by the U.S. Postal Service to me from third parties, such as the Post Master, Mr. Richard Rome. For such wanton gross and intentional evil undertakings of such great harm, the Post Master must be accountable and responsible for his actions.

Meanwhile, the duty of good faith representation is now a matter of contractal agreement to aid and assist a work scope injured person. It is a matter of known law to do such. In completeness, Honorable Justices, good faith and honest policies must be practiced in order to avoid arbitrary connections and conditions of lawsuits. Simply stated, because this is fair and honest doings to respond to the injured worker's needs. Thus this is deemed and warranted. This is a major and very important fact of compensation law. However, now, there has been in this case a

serious breach of mistrust implications of fraud and the like occurring to the Appellant in form of extreme discriminatory practices and bad faith connections coupled with slander, libel, and obstruction of justice.

Other considerations of public forum of restrictions and willful mocking of my religious beliefs are and have been abated and abused by such people such as Mr. Richard Rome of the U.S. Postal Service. Tinker vs. DesMoise Independent School District 393 U.S. 503, 506, 1969, First Amendment issue.

Henceforth the Appellant has strong reduction of his expression of freedom or speech to express his religious beliefs which the Appellant is expressing to the courts that his Constitutional rights were infringed upon. Tinker ID at 512 13.

Gentlemen: An update of such gross affairs not that only of a singularity but that of a qualified U.S. citizen, Viet Nam veteran, and injured worker has been denied his Constitutional rights for proper redress into the courts for proper review and conclusion of law. A common sense issue. The Appellant has a strong grounded merits connection of evidence ever so present. This question has to be dealt with again, not just for my sake, but for all future concerned personnel within the Postal Service. I am appealing to the U.S. Supreme Court not just for my sake, but for justice for one and all. We cannot allow ourselves to discriminate in multi fashions based upon all these major infractions abridging my Constitutional and civil rights. To me this is a severe restriction of my Constitutional rights as a U.S. citizen. Such sanctions without full examination of recovery of any and all assembled data needs to be properly and presentedly adjudicated by law. The First Amendment of the U.S. Constitution guarantees us free speech in, out and around the law.

Title VII Statute and School Board of Wassau vs. Allude 480 US 273 Public Law No. 100-259 USC and 7068 vs. Pull No. 100-43 42 USE and 3604 F9 Sec. 503 of the law prohibits retaliation and conversion against the Appellant. As a Viet Nam Veteran, American citizen and injured worker ADA.

Because of all the needless harm and anxiety I have suffered. I ask you to consider this case so that workers will not be injured and suffer as I have.

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Appendix A. To this Petition, there appears to be an unpublished written opinion of the U.S. District Court of Western Pennsylvania set forth by Magistrate Benson. This case was summarily dismissed by gross omis sion of Law. Due Process and Equal Protection denied.

Appendix B. The United States Court of Appeals for the Third Circuit Appellant Petition for Enlargement. This motion was granted by Judge Mansmann.

Appendix C. The United States Court of Appeals for the Third Circuit Appellant Petition for Rehearing – Denied without comment or opinion.

Appendix D. The United States Court of Appeals for the Third Circuit – Judgement Order. Judgement of District Court Affirmed.

Jurisdiction

The appellant filed the original case in the U.S. District Court on or about June 3 8, 1993. Western District Court denied the Petition in June, 1994. Appellant filed appeal to the Third Circuit in June, 1994 -- Petition granted on or about August, 1994. Court En Banc was held March 17, 1995. On or about March 31, 1995, Court En Banc affirmed the judgement of the Circuit Court. On or about May 24, 1995 Court En Banc denied Petition for Rehearing.

The appellant now seeks to invoke This Court's jurisdiction under Title VII & 704 (9) 42 USCS and 2000 (e) 3(a) 1970 ed Supp. 3rd PROVAOS.

Constitutional and Statutory Provisions Involved

Amendments I, V, and XIV of United States Constitution thus granting full substantive due process to the appellant for proper adjudication.

Title VII & 704(9) USCS and 2000 (e)3(a) 1970ed Supp. 3rd PROVAOS.

Statement of the Case

The Third Circuit Court of Appeals erred in holding and released judgement orders that preempt the appellant's right to due process under the Fifth and Fourteenth Amendments of the United States Constitution and substantive due process with respect to violations of Civil Rights.

NO. _____

IN THE SUPREME COURT
OF THE
UNITED STATES OF AMERICA

Term 1995

David Henry Haas, Adjunct Professor, J.D., Petitioner
vs.
United States Postal Service
c/o General Mail Facility
Pittsburgh, PA

PETITION FOR WRIT OF CERTIORARI TO THE UNITED STATES SUPREME COURT

"To One and All of the Justices in the Supreme Court
of the Unites States of America"
Allegations, Facts, and Other Scenarios

Petitioner, David Henry Haas, Adjunct Professor, J.D., respectfully prays for a writ of certiorari of exceptional importance in matters of **NATIONAL SAFETY AND HEALTH** of all concerned, of grave importance. To be issued for review in completeness from the onset to the judgement and opinions of the United States Courts of Appeals for the Third Circuit on grave and concern matters of

great distinction of not properly allowing redress for sound merited evidence of facts and overwhelming damage and evidence to the petitioner in regards to constructive fraud, slander, libel, felonies, and multi-severe disabilities of the said petitioner. In substitive of and in the language of law. Coupled with the respects and dignity of a U.S. American citizen, a veteran, and a severely disabled person (A.D.A.), of the said petitioner, is seeking redress for the multiplicity of overwhelming wrongs to the totality of circumstances and substitive due process of the law in the Fifth and Fourteenth amendment, not following form or fashion in respect thereof. A gross and unjustifiable tool of unrighteousness has been bestowed to me, in out and around. One cannot be in total agreement of analysis without full information data and substantial grounds of extraction of all the findings without full substitive due process of the respondent's communicative analysis of and in the scope of law. To respond and be able to act upon the laws of the courts or the defendant's scope of authority, in, out and around the law, while meaningful substantive due process is sanctioned to its absolute limits.

OPINIONS BELOW

There is nothing made but what can be received, restored, recast, refinished, rebuilt, reclaimed, refurnished, and remade by proper and skillful jurisprudence to redress the overwhelming iniquities done to the appellant over and over again, Sirs. The challenge has to be done, not just for my sake and safety, but for the safety and health of other employees within the United States Postal Service. Henceforth, thus bringing an absolute resolution

and revelations to the truth with good faith and liberty to all Americans. In abolishing this overwhelming circumstances in favor to the Appellant within due substitive of the laws and truth, so help me God. While not begetting any more intentional severe inequities to me again. I am praying for restoration favor and recreation of sound and honest jurisprudence by the overwhelming facts within law. After all this grave and gross, wanton influence of evil upon my life to date. Something has to be done now. Here, now, by the grace of God comes myself, Adjunct Professor, David Henry Haas, as an instrument of understanding and awareness with keen personal insight. As to all past advertments, suggestions, and indicative absolute unrighteousness of the Defendants toward the Appellant to date is totally uncalled for in a prima facia category of law.

After all administrative law recourse was established and exhausted I filed a complaint to the U.S. District Court in June of 1993 and thus they dismissed the case due to the laws of full due substance, due process, were eradicated by unjust means as indicated by Title 42 Section of the law and No. 28 U.S.C. and No. 2210-2202 and No. 28 U.S.C. and No. 1981, coupled by Rule 42 U.S.C. and 1985 1986 with emphasis.

Henceforth, now, No. 18 U.S.C. and 1905 Obstruction of Justice page no. 516 as indicated by a follow through of past advertment per reading on in this complaint. The Appellants' prayer for justice in the Third Court of Appeals was not fully warranted or thus afforded due process of the Fifth and Fourteenth Amendment in the substance due process considerations of the United States Constitution.

There is no comparison between truth and falsehood. The truth can and will stand on its own merits in spite of these over-

whelming inequities by the Defendants in question. Indignations and turbulence misconstruction of wrongs done to the Appellant in, out and around this whole scenario of civil and criminal turmoils within this whole case. This appeal began in June of 1994 and thus ended by refusal to rehear a warranted and sound merited case. The court in banc was held on March 17, 1995 and thus I re-petitioned the courts for a rehearing and was denied the findings on May 24, 1995. This is why I am petitioning the United States Supreme court for a writ of certiorari under No. 28 U.S.C. and No. 1254(1) by and through a U.S. citizen with multiple disabilities which qualifies this petitioner to be afforded redress to the law as a disabled veteran, a disabled worker, (A.D.A.) and a qualified U.S. citizen of the United States of America. Under the law of A.D.A. No. 28CFRPART3335 (APPA...35130FN14) mandates sections of No. 35.130(cl) unbridged No. 28CFR No. 351030 with strict prohibitions against discrimination of a disabled person. Here we see the law of the U.S. Congress and Past President George Bush regulations and laws and it strongly and overwhelmingly appears that the U.S. Post Office is in fact the greatest offenders of the is law, in fact. This is not just a personal matter, but a national one, Sirs.

Public insight into California, Chicago and New Jersey, just to name a few, are the prima facia considerations, Sirs, Honorable Justices. Perhaps the violence in these post offices is evidence of hostility within the post office and its management of personal accountability not being responsible thereof for said damages.

There is a serious question of public health and welfare of the people and personnel here at stake, in this well established scenario of affairs that needs strict accommodations and required limits of actual sanctioned laws and security within the basis and

bar of the structure and boundaries. A mandate is deemed and fully warranted and thus demanded to be in place now. Not on mere conjecture, but absolute 100% facts of the Appellant prima facia indications here within the case. For it now to be shifted to the U.S. Postal Service and the courts and thus not to impair and impede the justice of one, and the count, the cost of all concerned here, present, past, and future considerations. This is an authentic public knowledge, Honorable Justices, and to mention this I'm sure you are quite aware, as everyone else, is aware, that there is a definite problem within the Postal Service. My case states it all. Personnel of this magnitude of great intentional harm should be removed from their office immediately. G.A. 16.7 reports a sound principle with merited considerations here, Honorable Justices, Sir.

EQUAL PROTECTION

The Federal Courts of Appeals gravely and grossly erred in holdings and released judgments preempt to the Appellant's rights of due forth process of the law under the Fifth and Fourteenth Amendment thereof, in substitive, due process. The Claimant is now exacting and thus submitting for a judicial review that is normally accorded within the scope of law. Thus the Appellant is seeking redress for the merits, protections on the grounds to not withstand the approcriation of findings of which I have not fully received and thus inconclusive by the Court of Appeals, Third Circuit, on March 31, 1995 on Case No. 94-3388 enclosed within and witnessed. The hearing date was March 17, 1995. A petition for rehearing was notified by the Appellant as stated by FRAP 40 in the Third Circuit LAR 35 and 10P chapter 9, and not even signed by P. Douglas Sick, Clerk, or either by Kathleen O'Toole, Deputy Clerk

for court of in bac cite that of March 17, 1995 and May 24, Decision in fact. A simple common sense issue, here, Honorable Justices. This is an essential in discovery and fact finding in question. A statute is raised to indicate and appropriate suspect class and serious fundamental interest for a significant and rational legislative actions are strongly welcomed and warranted by the Appellant and by the U.S. Supreme Court in excessive exercise of proper judgment calls here is a matter of LIFE AND DEATH ISSUES before us today in reference toward public/personal personnel health, safety and welfare. This is the question of serious consideration before us all today. No doubt at all in this connection.

A Constitutional challenge test of clear and present danger here, Sirs, thus civil remedies and evidence of prime preponderance of evidence thus shows a distinct and wanton intentional harm and negligence to the Plaintiff in form and fashion of due evidence to actual damages that were bestowed to me in this whole scenario to my economic, social, and disability of concern plus gross libel and slander which are redressable in punitive damages and actual harm. The courts of the United States of America shows the Fifth Ammendment contains no equal protection clause. It should in this specific case, due to the substitive due process of laws not properly afforded to the Appellant. However, now it strongly indicates that the A.D.A. forbids discriminatory tactics that are so unjustifiable in this case to be in direct violation of the Fifth and Fourteenth Ammendment in full contrast to all other harms done, in, out and around.

Such as this cite Bolling vs. Sharpe - 347 U.S. 497, 74, Sct. 693; Schneider vs. Rusk – 377 U.S. 163, 84, Sct. 1187; Shapiro vs.

Thompson -- 394 U.S. 618, 89, Sct. 1322; henceforth discriminatory practices to the Appelant is well documented. Even the findings of Administrative Law in applicability of my federal civil rights actions under No. 42 U.S.C.S. and 1983 of those who conspire and thus abate me from a trial by selection of honest jury decision are absolutely redressable under No. 42 U.S.C.S. in 1985 (3). Thus providing a remedy to the injured Appelant by intentionally conspiring to deprive me of my civil rights to the activity of a single corp or to a concert activity of its directors employees, agents, and the like. No. 52 ALR. Fed (106) with the power of Congress to prohibit and punish such conspiracies to deprive a person of his civil rights in matters of due process of the law. What a shame here.

A key position of FULL CONSTITUTIONAL TEST AND INTEGRITY of laws are warranted to the Appellant. A standard (a-new) of review is strictly warranted in absolute consideration by qualified facts and not mere conjecture to aid and seize a proper and favorable jurisprudent consideration with the strong merits of this case, Honorable Judges. It is so overwhelmingly demanded, warranted, by the Appellant for all past advertments and multi severe disability and discriminatory practices of the United States Postal Service in the scope of law and due justice. Here, today, a claim a prima facie evidence in fact now is in a position of shifting all these liabilities that are included in strict and precarious concentrations towards the U.S. Postal Service TO ARTICULATE THE UNDERMINDEDNESS, CAUSES, AND EFFECTS FOR SUCH EVIL ACTIONS WITHIN AS TO CAUSE GREAT AND INTENTIONAL INFLICTION OF GREAT HARM TO THE APPELLANT TO DATE DUE TO THE DURATION OF RISK AND NATURE AND SEVER-

ITY OF ALL THIS NEEDLESS AND POTENTIAL HARM AND LIKELIHOOD OF FUTURE HARM TO OTHER PARTIES, HAS TO BE STOPPED FOR THE PERSONAL HEALTH AN WELFARE OF ALL, in, out and around the Postal Service.

This is a grave and very serious matter and not just mere conjecture, Honorable Judges.

JURISDICTION

A business necessity was written up in falseness about the Appellant and thus fraud was written on such reports against the Appellant. However, now the total shifted business necessity is being placed to the United States Supreme Court and the U.S. Postal Service to show a relationship doesn't exist towards its discriminatory practices and inappropriate interests to reduce my civil rights in complete falseness while no manifestation of realization of actual redress to Mr. Richard Rome was acted upon in such overwhelming and severe unrighteousness of fraudulent reports against the Plaintiff in a constructive fraud basis. It is my agreement of interest and relationships toward overall authoritative interpretive guidance is now again well merited and needs proper adjudication for a business necessity. Not just for my personal welfare and care, but for that of future considerations under the guidelines of No. 401 U.S. at 432 Civil Rights Act of 1991. See 137 Congress REC. No. S15475-76 October 1991. Coupled by the ADA standards and tests of law under Title No.VII. I have responded of and to this disparate impact based upon fraudulent conveyances which obviously was written by Mr. Richard Rome of the U.S. Postal Service and its direct associates to be null and void against the Plaintiff in falseness. This is deemed and a very unlawful employment practice to deal with

(S1745 and 107(A), 137 Congress recorded. Treating physician reports should and will be caring great weight, specifically and especially when the reports carry and reflect expert medical judgment calls based upon continuance observation of the patient's conditions and overall prolonged periods of time and duration and standings of such conditions for a period of five years, with onsets of casual work relationships and interactions of accidents, dates of 10-18-85 and 8-31-89 as indicated by past advertments, cites and readings thereof.

Rocco vs. Heakler 826 F2D 1348,1350. (Third Circuit Court, 1987). Podedworioy vs. Harris 745 F2D 210217-8 (Third Circuit Court, 1984). Gillilaned vs. Heakler 786 F2D 178,183 (Third Circuit Court, 1986). No jurisprudence officer of the court can ignore the opinion of competent, informed treating physicians for which state there is a casual relationship of my work scope related disabilities. Here I stand in the middle of hostility by the United States Postal Service employer/manager in total disarray of sound medical standards, not being properly applied and thus caused more increased intentional harm, and prolonged the Appellants due forth compensation in matters of said disabilities and onsets. This was a gradual process an thus accelerated itself to this great extent of harm, in, out and around.

Here we all are standing on character and extension of the Appellant's severe disabilities and all past discriminatory practices of the United States Postal Service and third parties. Henceforth obvious witnessed observations of extreme bad faith to a postal employee is unwarranted. The trauma, injury, and persistence of disability is a lot to cope with and to contend with daily, Honorable

Justices. This is a prescription of severe inequities, coupled by absolute facts witnessed of a disabled person in severe physical disarray and disabilities, unable to work due to the severity of my disability, from the very onset till I could not work anywhere, from November 7, 1990 to the present time; irreversible damage for life. See Section No. 5034 (Code of Regulations and Laws) in strict prohibition against an employer to retaliate and cause coercion to an injured worker. This is a grave and unlawful act and charge against the U.S. Postal Service to afflict on the injured worker. Gross and wanton medical standards not being properly applied and adjudicated, No. 503 (b).

It is also very unlawful to intimidate, threaten, or interfere with any individual in the exercise and enjoyment of freedom of speech, and thus causing a violation of my full expression of religious freedoms without any undue intimidation or acts of freedom to abate me from freely expressing my full religious beliefs. I was mocked and abused for my religious beliefs. (IF IT IS GOOD ENOUGH FOR THE CONGRESS TO START THE DAY OFF WITH PRAYER, IT IS GOOD ENOUGH FOR ME, TOO. THIS IS A PREJUDICIAL ISSUE FOR MY CIVIL RIGHTS AND PRIVATE RESERVE PARTAKING OF IRRESPONSIVNESS AND REPROOF OF THE UNITED STATES POSTAL SERVICE EMPLOYER/MANAGER STANDING TO SPEAK THE WORD OF MOCKERY OF MY FAITH IN FACT.)

I believe the word of God has to be spoken with the faith in God and with authority and justification. A redress of preliminary discord concerning the certainties of rights in our well-formed Constitution is in direct violation of my freedom of speech. This is a bona fide reproach issue against a U.S. citizen, a Viet Nam

veteran who fought for his country, and a disabled worker. Henceforth this obsession of the U.S. Postal Service has to be stopped, simply by someone or other who cares to see this through. Redress is a necessity to secure and maintain uniformities in this connection, as per cites, cases, and clauses (omitted to oral argument). This issue here of a writ of certiorari involves a question of exceptional importance of absolute facts, in, out and around in decisive decision-making of national importance, safety, health and welfare of all concerned. This overwhelming intentional civil rights violation and discriminatory practices coupled with intentional torts to the Claimant overwhelmingly and surprisingly identifies interests of **NATIONAL IMPORTANCE** to the cause and effect of safety, health and security considerations to one and all. No one is immune to tragedies. You could be perhaps the next victim. Considerations and scrupulous protection will no be suffice. This is an exceptional First Ammendment, Fifth Amendment, and Fourteenth Ammendment Constitutional challenge that has to be met.

The Appellant is thus entering a clear and defined determination of what specific differential opinions of the courts are basing their opinion on without full conclusion of the laws and judgments and findings within. Not withstanding a written objectionable substance of opinion that I was not afforded to date in action of FRAP No. 36 entering of judgment, the Appellant's proportional connection was not apparent in regards to the signature of the clerk or the Appellant's civil rights and affirmative actions are not being met or challenged within the law with undue malice. The Appellant needs proper restoration to his life for this overwhelming

consideration by facts witnessed. Ambiguities, opinions are not suffice to a course of direction when the Appellant needs proper redress. There is a cross reference of rights and privileges secure to the Appellant by law. They have been breached by civil rights and federal constitutional provisions and approcriations in thus mandated in having to exercise such rights it is prudent and lawful for such considerations of the First, the Fifth, and the Fourteenth Amendment.

Through the civil rights actions and due forth Constitutional amendments of the Fifth and Fourteenth of our beloved United States of America with substance due process of the laws within the courts to do so.

Blended in considerations of facts, laws, evidence within the federal Constitution of rights and privileges within law does not decree any legal and longstanding consideration towards the Appellant. Based upon a continuous flow of severe inequities and warranted entitlement of benefits due forth. These are a overwhelming and stormfull issue to contend with. They will not interface with the absolute facts of this case to include proper and fair standards of truth and integrity of the Appellant at hand, as per items of this advertment and consideration that have not been properly adjudicated according to the law and substlitive due process of the law. The privilege few under the Constitution of the law of the U.S. is not warranted. It is the U.S. Supreme Court action to undertake a U.S. citizen to engage in full cooperation of truth that will overwhelmingly outweigh the falseness and conspiracy of all parties concerned to abate the Appellant from standing and affirming the facts, allegations and other scenarios that are necessary in the needs and intentions of business necessity to act upon as to he deprive me, the Appellant, of my civil rights as a veteran, disabled U.S. citizen, and injured worker. This must be adjudicated

and affirmed by all who are concerned here, Honorable Justices.

Whenever a man, post master, Mr. Richard Rome, publishes in falseness he thus conveys his pevil development in law in form and fashion towards defamation acts. Def. 69 Harvardl Rev 875906-08,, 1956, American Law Institute reinstatement as expression of prevailing American law, as illustrated by 4-580 of reinstatement of torts, 1934. While actual and reality of malice lives on with reckless disregard of truth of falsities of issues of grave concern. Please see ELEGANT and INSIGHT exposition in fraudulent constructive dilemmas 45 US Boston UC REV 1317, 1965. Cites of Gertz vs. Welch, 41865323, 1974, henceforth the balance thus shifts back to the causation of the Defendant, Mr. Richard Rome, and the U.S. Postal Service should be and will be in favor of the victim. Employment, HEALTH AND SAFETY issues here, coupled with federal civil rights act of 187142 USCA (1983). The voices from Washington, D.C. have so declared this as overwhelming and conclusive punitive damages awards should be made to the victim. Smith vs. Wade 461 US 30 1983, first case of award to redress damages to such actions. A close and literal construction of Constitutional provisions for the health, safety of all is the prima facia safeguard for us all. This is to be considered with and in explicitly or implicitly to deny such truth upon sound merited evidence must be redressed and continued favor for the Appellant for such grave and unjust wrongs caused by the United States Postal Service.

The Appellant's determination of precipte of the Fifth and Fourteenth Ammendment and First coupled with the ADA laws and prime civil rights issues for all this wanton and gross inten-

tional harm caused by the United States Postal Service. I am extremely qualified for such actions and enforcements of such rights by law, in, out and around. I am surprisingly overwhelmed by their injustice and inappropriateness of the courts and the U.S. Postal Service to help an aid an injured worker with such casual relationships. This is outright fraud and criminal actions that need strict enforcement of law backed by Sec. 523 of the law back pay under title No. 7 of the law, based upon obvious fraud in constructive modes, and proof of it, Honorable Justices. Preponderance is accounted for.

Please do not treat these advertments as idle chit chat. This effects me personally, as well as others nationally.

Henceforth the court should act upon such authentication of facts under Sec. No. 42 USC 2000 e and Sec. 703a designed to overcome existing evils. And No. 61 Civil Rights Action that the court holds explicitly and implicitly that my full due process of the law under the Fifth and Fourteenth Amendment was grossly suppressed by the courts and the U.S. Postal Service in conspiracy.

Any or all scopes of injustice of the law in redress not only hurts me, but all future considerations to others. This is a justifiable, merited action here of accountability, for such needs warrant considerations of law coupled with national safety, health and welfare of all other third parties and personnel. A new standard of review has to take precedence over the old. No motion, indignation, or like should be issued if not properly adjudicated and balanced by an appropriate challenge by the Appellant through just ways and means with integrity. I am not discouraged, Sirs, but strongly encouraged now to do something prudent in this grave matter of grave intentional harm. Whenever an Appellant will

ultimately prevail by offered preponderance of supportive evidence, this cite is offered to you. Sheuer vs. Rhodes 416 US 232 23694SCT 1683, 1686, 40 LED2D90 (1974). Henceforth now to and on this motion of past court actions to dismiss is an unqualified determination of absolute abatement of full substitutive due process of the Fifth and Fourteenth Amendment of the U.S. Constitution, under fire against the Appellant. Whether on grounds of lack of subject matter jurisdiction or failure to state a cause of action to allegation should warrant favorably to the Appellant when overwhelming evidence is obviously present and accounted for, such as Conley vs. Gibson 355 US 4145, 78SCT 99 102 2LED 2D 80 1957. Ang vs. Procter and Gamble Company, 932 F2D 5405446 Circuit Court 1991. Such grave and wanton dismissals of severity and ongoing complaints filed under civil rights law and statutes are very well scrutinized with special care and emphasis. Mekeadd vs. Kingsley Area Schools 727 F SUPP 335,338 [WD MICHIGAN 1989]. Also citing Kent vs. Johnson 821F2D 12201223 6 Circuit Court. Brooks vs. Seitter 779 F2D 1177 1180 6 Circuit Court.

REASONS FOR GRANTING THE WRIT: Henceforth now the Appellant has more than enough sufficiency of evidence of notification of this injustice not being properly adjudicated to date with proper accountability of the U.S. Postal Service which has not been assured to their objectivity of why they tried to destroy me, while allowing some others due care and consideration to their injuries in good faith. The US Supreme Court No. 482 U.S. 901,10f Sct 2475 96LED 2d368 and thus granting certioirari in section no. 704 (9) of the title of law 7 42 USCS and 2000 (e) 3 (a) 1970 ed Supp third Provaos. IT SHALL BE UNLAWFUL IN EMPLOYMENT PRACTICES FOR AN EMPLOYER TO DISCRIMINATE AGAINST ANY OF HIS EMPLOYEES OR APPLICANTS AND FOR FUTURE

EMPLOYMENT (affirmative action laws). Fn8158 US App (dc) at 152485f2d931 federal civil rights of the Appellant has shown continued constructive fraud, slander, libel, etc., while the willingness to coffer evidence for injunctive or declaratory relief of the courts was not fully sanctioned. Peckman vs. Scranton 1957, Sa7 (ILL) 241f2d761 UNITED STATES ex rel Johnson vs. Specter (1967 ED PA) 262f Supp 113. This discharge of employment engagement of concert activities is in direct retaliation and discriminatory employment practices of the U.S. Postal Service, thus jointly working to abate me from my full substitive due process of the laws and statutes, thus causing economic reprisal with respect to impose unlawful discrimination against an absolutely blameless injured worker (work scope related), Honorable Justices. This is a cause of grave wanton labor practices also constituted as 100% proof positive in absolute form of direct violations of Title VII civil rights and federal civil rights coupled with the First, Fifth, and Fourteenth Amendment of the US Constitution. Our US Constitution must not enslave ourselves to and for totalitarianism by any government entity or agency thereof while abridging the Appellant's freedom or abducting themselves through arbitrary ways and means. Personal intercommunications practices such as these have been done in a gross magnitude against the Appellant. This is a highly discriminatory practice to be allowed to happen within the limits of the Bill of Rights and cited arguments are admitted due to oral argument when the time comes. Today we must be vigilant in our past constitutional freedoms proven. This is a merit of vital interest and issue that what is expected to be done and accomplished and adhered to. Compensation attendance to law must be sanctioned thus bringing everything together while self control arbitrary decisions of the U.S. Post Office must be eradicated for one and all while

trying not to engage yourself or endure such practices yourself within the scope of law. The Appellant wants relief of bad faith dealings and dishonest arbitrary conduct. THE DUTY OF THE UNITED STATES SUPREME COURT IS TO ALLOW FOR SUCH WRONGNESS TO BE DEALT WITH IN COMPLETE FAIRNESS TO THE ABOVE MENTIONED APPELLANT FOR WHICH THE LAWS WERE NOT SANCTIONED PROPERLY BY LAW FOR THE APPELLANT'S REDRESS OF THESE SERIOUS INTENTIONAL TORTS. A SERIOUS BREACH OF LAW CONDUCT TOWARDS A SEVERELY INJURED WORKER WITHOUT DUE FORTH COMPENSATION IS A SERIOUS CRIMINAL ACTION OF DECEIT AND FRAUD AND UNDERTAKINGS OF COMPLETENESS AND DUE FORTH UNWARRANTED DAMAGES IN BAD FAITH OPERATIONS.

There is no misrepresentation of facts. The US Postal Service did absolutely perform constructive fraud against me. (Cite omitted by oral argument). As to adhere for hearing properly or rehearing of my serious grievances. The US Supreme Court No. 482 US 901, 107 Sct 2475 again stated. Whenever a discriminatory practice such as this connection of bad faith injures one, this cause of action initially injures all in due time, simply because the US Postal Service must pay for the damages caused within under the guidelines of TitleVII it is basically a concern with individuals rights within the scope of law. Again, Title VII Strictues are absolute and thus present a Congressional inquiry. No. 76 commands that each employee be free from discriminatory practices. ID 45194 Sct at 1021. This should facilitate involvement of the US Supreme Court for good faith equity of employment laws and due forth action to the Appellant in restoration of dignity and justice for all.

The totality of damages and danger should be obviously overwhelming enough for proper consideration in all past practices of all US Postal Service undermindingness and its managemental vindictiveness against a severely injured worker, (work scope related).

Threats were issued in direct connection towards the Appellant, witnessed (oral argument pending). There is a history of obvious hostility present here, and a cause of action to specific individuals who initially caused this intentional harm, namely, MR. RICHARD ROME, as a very obvious present, future danger to one and all. If he has done it to me, he is going to do it to someone else again, since it is his behavior pattern.

THE FORESEEABLE IS BEING SHIFTED OVER TO THE U.S. SUPREME COURT TO DEAL WITH THESE SPECIFIC ISSUES OF GRAVE DANGER. THE APPELLANT HAS PERFORMED HIS DUTY AS TO ALLOW YOU TO RECOGNIZE THIS PROBLEM. A REASONABLE TIME SHOULD BE SET ASIDE TO DECIDE, RETREAT, OR RATIONALIZE ON THIS SUBJECT MATTER BEFORE IT IS TOO LATE. Increase risk of criminal activity torts and various other claims for acts within the Postal Service against me. While failing to protect and provide protection for such gross, wanton negligence and abuse. Anything which facilitates expectable attack and does not take a reasonable means or measure to protect when fully aware are consequently bounded as to actual trespassing against the Appellant's rights, resulting liability and breach of prevalent strict liability as well as vicarious, is strongly indicated here. A new and whole new relationship is now well grounded and thus recapitulated to all concerned now, in, out and around, laws, morals and ethics, a basic common sense issue of determinative duty in existence of long standing consider-

ations of the Appellant not being fully sanctioned. The Appellant suffered injury while the closeness of this connection between the US Postal Service, Defendant, conduct and injury to the suffering and wanton intentional conduct of MR. RICHARD ROME has to be eradicated as soon as possible. The Postal Service thus again is engaged in obviously presenting future harm to another third party while allowing Mr. Richard Rome the privilege of not being disciplined. The Appellant, however, extends the burden of accountibility and responsibility and consequences thereof to the US Postal Service of and to this fact, thus the Appellant is imposing a duty to one and all, a duty of proper jurisprudence and exercise of care is in order for the Appellant. The injured worker has suffered gravely from these results, from such gross, wanton intentional torts. An excellent recapitulation of facts and factors must be considered for national health, safety and welfare and proper jurisprudence for the injured worker.

Appellant Statement: Allegations, facts, evidence, of all past advertments and other such conditional scenarios have to be dealt with. The Appellant has overwhelming gross injustice of law and statutes. This is a slap boxing match. The Appellant is warranted for proper adjudication with certainty and proper jurisprudence management. The engagement of eye witnesses and status classification in premise liability case here. No time for generalized duty of accountability here, Sirs. Again, reasonably jurisprudence is the only alternative left for such forseeability of hurt and harm that I have suffered throughout this Postal Service ordeal. Again, the Appellant has suffered enough now and the involved risk of responsibilities has shifted to the Supreme Court for a petition to address such wanton gross intentional issues here. Adequate remedy against all damages is well warranted deemed and characterized. Thus holdings of anything other than favorable

in the severity of this issue would be a direct violation of my First, Fifth and Fourteenth Amendments of substitutive due process. A coalesced in the Apellant's favor as an invitee of undue and wanton harm done within the scope of work, in, out and around the law. We are now heading for a head-on collision course of forseeability of great harm. I am appealing not just for my self, Honorable Justices, but for all future and past damages of unexpected wrongs to be redressed. It is my belief and strong indication that there are no more alternative theories left. We must and should consider only the gross and willful misconduct claims and intentional harm presented to me by all U.S. Postal Service directly involved.

Additional insight to the First Amendment Tinker vs. DesMoines, Indendent School District 393 US 4503, 506 1969 and Chapel vs. Center Moriches Union Free School District 113 Sct 2141 1993 ID at 506 and ID 512-13.

FOR SUCH UNDETERMINED EVIL THE APPELLANT SUSTAINED DURING HIS BRIEF COURSE OF EMPLOYMENT WHILE HE WAS RETOLLING HIS EDUCATIONAL LIFE, AND NOW IS COMPLETELY UNABLE TO WORK DUE TO HIS SEVER DISABILITIES. The Appellant is 100% absolutely blameless in the entrustment of false allegations, false evidence, and writs employed by the US Postal Service schemes and operations thereof. Employees should be protected from such overt discriminatory practices. It is the employee's right to have such non-discriminatory treatment based upon law. Congress prohibits this action against any or such other principle.

Additional considerations of said interest to the Appellant are also of grave concern here, Honorable Justices, as stated accordingly.

Henceforth now a chance to recover damages or thus secure equitable relief or other relief. Thus any act of Congress has provided a safeguard in civil rights ... case and point.

A. 28 USC and 2210-2202

B. 28 USC and 1981

C. 42 USC and 1985-86

D. 42 USC and 1985 - 1986 "Again with emphasis"

Again the Plaintiff is an American citizen and has an unqualified right based by Constitutional rights within law. In, out and around, Sir. Coupled with access and rights to the courts. Thus action such as this and all parties of concern; only precluded the Plaintiff of lawful access to the courts.

Henceforth denying my civil rights by a trial by selection of jury .. and now comes allegation of felonies under Title #18 US Code. This is punishable as a principal (18USC) 241 Conspiracy against a disabled person of right and access to courts; as a veteran and an American citizen.

Again: Rule #18 USC and 1905 obstruction of justice page 516. This is extremely unconscionable and highly unwarranted consideration to allow to an American citizen, veteran, and severely disabled person. Where has justice and truth gone to?

A place of uncaring personnel, Sir. Here I have been seriously damaged for life, Honorable Sirs. Coping and knowing what is really going on here is absolute abatement of justice. Who really cares? Obviously they don't, Sirs.

ADA #28 CFR Part 33335, App. A and 35130 FN 14 Man-

dates sanctions of 35.130 (cl) Unbev 28 CFR and 35130 prohibition against discrimination. No ambiguity here, Sirs.

The onsets of injuries dates of consideration: 10-18-85 ... struck from behind (and witnessed). Seen by U.S.P.O. Infirmary and thus treated by acting nurse. Post Office fully aware of injury.

Seen by Dr. James Samuel Lapecvic Ph.D., D.O., F.D., J.D., and a host of other degrees, for additional medical follow-up, for cervical injury and rexabation of TMJ Syndrome. Continued care long-standing and progressive damage in nature; established injury connection and witnessed reports and thus, Sirs, afforded proper care for injuries substained, Plaintiff blameless.

Entrapment of hand (left side). Date of injury 8-30-89 witnessed. Progressive damage and loss of 40% + of motor strength. Cause and effect Dr. Jeffery Lumaugh states a causal relationship of accident in reference to chronic pain. He sanctions sound medical tests such as nerve study test, M.R.I. Scans, and associates Dr. Ronald Paldwich onset impression.

After accident Mr. Richard Rome, P.M.>, failed to seek medical attention toward Mr. Haas' workscope injury, witnessed.

My left hand was slammed against, Sirs, and entrapment occurred and thus reexasberated all of my musculoskeletal dysfunction to be further aggravated and injured.

I had to fight for my absolute right of compensational paperwork. He tried to abate me from this absolute consideration. A 300 pound steel door was pinned against my hand, Sir.

Mr. Richard Rome, Post Master, wrote up a constitutive fraud writ about me and conveyed two complete pages of absolute

fraudulent reports about my character in falseness. His scheme was to obviously abate me from lawful compensation (witnessed) as absolute truth and "not relevant."

Thus Plaintiff was completely terminated by this writ and thus released from work by constructive fraudulent bases. Dr. Carodo wrote a requisite of a problem of Mr. Haas based upon the fraud of Post Master Richard Rome (witnessed). Hence they retaliated against me and fired me while off work on a workscope disability, Sirs. Additional and great harm, 100+% proof positive, witnessed.

This course of action was challenged by the Plaintiff as outright deceit and thus seen by Hon. Law-Judge Butler. He used fraudulent petition against Plaintiff. Isogentic damage and further cause of more and increased pain, Honorable Justices.

Retaliation here, Sirs, multi-fraud against Plaintiff as observed and reinstated as per judge's order.

Compensation of Plaintiff for continuous care by (O.W.C.C.P.) sought and thus denied in sequence ongoing affair for all claims, Sirs. Compensation denied based on absence of said doctor's reports. Fraudulent acts as to constructive as to incidents again further and greater harm isogentic effect to Plaintiff. An ongoing merry-go-round system of fraud (witnessed). A dual discriminational issue at hand that of a disabled veteran, Viet Nam War, and a workscope disability of prime distinction. They willfully used a service connected disability against me and a workscope disability one too.

The charge of a mental problem was noted. I was labeled neurotic and not mental. A big difference, Sirs. I received a direct blow to my face, with 1" scar left side. A misdiagnosis T.M.J.

Syndrome for which I had to tutor V.A. physician on. Well onsetted in the dental chair on active duty. A physiological bases supersedes a nervous condition based upon physiological origins and onset. The T.M.J. caused the nervous condition. Subluxation of mandible came first, Sirs, that led to a neurotic condition. This is absolute and a matter of record, seen and witnessed by American Legion.

This is again additional discrimination practices and retaliation of U.S.P.O. namely Mr. Richard Rome, P.M., and his tag along associates. What a shame, here, Sirs.

All of the additional stress relationships are extremely unwarranted by all personnel of U.S.P.O.

As by law now the burden is on the employer to show and thus state in good faith. To be shifted to defendant. Why this type of behavior was allowed and sanctioned in the blind, no checks and balances. By law and observation of fact Mr. Rome is the threat and it plainly shows of his heart and intentional harm, ADA onset of public law warrants prime consideration under Sec. 504 to 407 Disability Law, Sirs, compliance in reverse.

Mr. Richard Rome is hostile and antisocial behavior against a multi-severe disabled person. Unwarranted (inequity) of the twisted truth of said postmaster, Sirs. A sad commentary and afflictions of outright "evil."

Admission of overwhelming evidence is static and statistical grounds for a grievance like this, has to be challenged by law.

Plaintiff seeking remedy and redress as an American citizen, veteran, disabled worker through the Constitutional merits of the United States of America, Sir.

Mr. Richard Rome and associates do and have ascertained

to be an ongoing threat to my health and or safety. Great wanton harm to me is well indicated and established by law.

Hence ADA Disability Act and Safety Defence SEC. #Fpg 20:25 warrants my health has been damaged by extreme anti-social behavior patterns of Postmaster Rome.

By all pasted and prevent considerations of the men's rae of Richard Rome, P.M., has to be stopped now. (This is a case of itself, Sir, to allow such behavior as insane an unwarranted behavior. They must sanction this scope of action and behavior by giving him a promotion and firing a blameless and innocent man.)

A grave and significant risk is right before your eyes, Sirs. He is going to hurt someone. It is a matter of time. I am deeply concerned. He needs authentic help right now.

A promulgated action of and by EEol under Title #1, a reverse position of additional and wanton harm again (witnessed).

A definition used of a direct threat is a codification of unwarranted behavior articulated by U.S. Supreme Court in the case of:

School Board of Wassau vs. Allude 480 US 273 1989 Public Law #100-259. USC and 706 8 v. Pull No. 100-43 42 USE and 3604(9).

Who is going to be the next victim, Sir? This has to be dealt with as soon as possible.

No sound basis of discipline towards Postmaster Richard Rome and last none of my knowledge. They gave him a promotion instead, Sirs.

A shifted case and response is now being shifted over and shifted into Defendant's area and that of the courts. Section #503 prohibits retaliations and conversion against me/Plaintiff. Very blameless 5W Sec (a) and (b). Thus Plaintiff merits and is favorably

accepted to have a sanction of law because of three phases of disability, that of (1) Viet Nam veteran; (2) ADA Title in variance as applied to law; (c) civil rights act.

(1) Plaintiff has/is been severely disabled since November 7, 1990, Sirs, and thus became unable to work on a continuous basis due to gross instability of super herneation of disk multi in fashion.

(2) Claimant has not engaged in any substantial gainful activity since November 7, 1990.

(3) Severe spinal impairments and chronic pain coupled with T.M.J. Syndrome (Mandibular Joint Dysfunction).

(4) Plaintiff total record supports claimants subjective allegations of severe disability pain.

(5) Plaintiff functional capacity has been "recalled to show below a sedentary level and completely unable to perform work of in this state of concern."

(6) Claim of severe disabilities is 100+ absolute, "witnessed" as multi severe.

(7) Not one ounce of compassion was shown to and to assist a witnessed workscope related problem. They only added additional isogenic harm of a great magnitude. Thus further aggravating this condition. How is a person to heal properly under severe life stress, caused by uncaring U.S.P.O. personnel, Sirs?

Calculation of weights and facts also Title II ADA 42 USC and 1231-12 Non-discriminational principles of Sesc. 5al Rehabilitation Acts (fn12) Easley v. Snider 36F 3cl 297,300 (3rd Cir 1994) Section 202 Title #11 42 USC 1234 (a).

This connection of unlawful, wanton, unfair labor practices, thus only caused greater harm to Plaintiff. A specific significance in a mandated order for complete reversal and remand is extremely warranted to be absolute and ripe now to do so, Honorable Justices.

This is not a harmless error but absolute grave and intentional damage displayed upon Plaintiff. There is the letter of the law that was not observed in compliance for all of this blatant damage. But as this case unfolds, the Plaintiff is in strong favor that the spirit of the law was also above absolute. 100+ provable in form and fashion witnessed.

The burden of law shifts strongly toward the court of appeals and all responsible parties within the U.S.P.O. for their retaliation against an injured worker. How would you feel if you were me? No job, no health, no financial compensation; this is 100+ totally and completely unconscionable in reference to pertain to any job.

To my knowledge and fact this is an insurrection of outright criminal activity of the U.S.P.O., Sirs. The facts speak for themselves.

SEC #503 mandates relief under section of the law #28 USC #1361. Workmen's compensation, witnessed ADA 102 UCCA c 121120 Section of applicable # laws. Outright intentional torts and proof 100+ of it, Honorable Justices.

Legal petition filed to U.S.P.O. and thus was found for consideration, Sirs. Denied and also submitted for reconsideration and thus denied again and given the right to file suit, federal courts.

Shifted burden leans heavily on U.S.P.O. on proof positive on a well-grounded case of strongly merited actions and not idle chit chat or flibous case of actions. Multi-discriminations practices

and criminal activity going on here, Sirs.

(a) Father Flanagan and Boys Home v. Goerk #224 Nov. 731-40 (1) W2D 461 and OASE # B22-1987 U.S. Supreme Court.

(b) Harris v. Misty Lounge Inc. #220 NEB MEB 678 371 N. Wrd GEb Neg. Rev. Strt #84-918 2 Cum Supp. 1992.

Plaintiff did not receive standard practices of medicine upon prior mental evaluation of a workscope relationship of concern. A statutory Review of authority and scope of review section # 205G as in District Courts Review is limited to substantial evidence and prime considerations of other legal questions.

Dobrowsky v. Calfano 606 FEd 403 (3rd Cir.) The appellate briefs and references to and toward district courts when argumenial that substantial evidence supports your position that it is imperative to rebative all legal issues.

A prima facie case is well established grounds for redress by overwhelming facts, witnesses, medical reports, constructive fraud.

The letter and spirit of the law are very imperative here, Honorable Justices, by and beyond any reasonable doubt in fact when the Plaintiff has substantial evidence in a strong merited case of prime consideration here to be properly addressed.

Again, Sirs, overwhelming evidence is the only main issue here, within this case at hand. Grossly unwarranted discriminational practices here, and it plainly shows a basic common sense issue.

On July 26, 1990 the year of our Lord, the ADA American with Disabilities Act came into being and thus made law to public.

It is again quite apparent they completely violated multi number laws and thus used them against me, Sirs, obviously so. Facts speak loud and clear.

Again burden now shifts towards U.S.P.O. and Mr. Richard Rome, P.M. (Again, Ray Charles can see this blatant connection of blatent affairs.)

Case and point of view

(I) Kame v. Heckler 776 Fnd 1130, 1132, 2rd Cir. 1985.

(II) Stunkard v. Heckler #873509 (3rd Cir. Files Feb. 24th 1988).

(III) Rocco v. Heckler, 826 F2d. 1348, 1350-I (3rd Cir) 1987.

Dobrowolsky v. Califano #606 Firt 403 3rd Cir. 1979 CAse of 4 scope of review and section II and 8 Supra. For power of the courts. Thus appellant briefs, references to district court record and pertinent pages of administrative manuscripts are very essential, Honorable Sirs. AS in District Court when arguing that the substantive evidence supports your position.

Also for additional evidence that the appellate courts are to consider submission of additional evidence as to a motion for remand in District Courts.

Torres v. Schweiker, 667 FEd 1029, 1030, 75 (4th Cir) Legion connection/Longarin stature.

Also please consider 28 USC #636,6,1, copy of magistrature reports attached. This practice as withstood a challenge that it "violates claimants constitutional right" -- a final judgment by an article III Judge.

Wharton- Thomas v. US 72 Fed 922 3rd 1983.

Additional considerations of ADA or 1990 PL 101-336 104 STAT 327 419-421 1990 and 12202.

Prima Facie case in fact. 42 USC and 1985 3 Doc # 10 Pax 45

shifted burden on of proof positive toward USPO. Once burden shifts – Kane v. Heckler 776 Fed 1130,132, 3rd Cir. 1985 and guidelines of (grids) Baedon v. Heckler 368 FEd 547, 553 3rd Cir Court 1985.

The postal authorities in what was a systematized form of emotional abuse, psychological abuse and physical abuse and financial abuse. Absolutely so cared "not" whether Mr. Haas suffered. Absolute retaliation against the law. ADA and title VII Viet Nam Readjustment Act of civil rights. Basic laws. I was guilty before proven innocent, Sir, and we live in a democracy, absolutely un-American.

Work related – slander, libel, multi abusive of various kinds, insurrection of criminal authority, severe structural damage to spine, multi operation and medical procedures TMJ Rex, sublimated ribs, and they wanted me to work. This is insane, Sirs.

After all of these workscope related injuries, plus different types of severe abuse that was grossly and flagrantly thrusted upon Mr. Haas, your Honors. You will plainly see absolute truth positive without any reasonable doubt upon your review of facts as they are presented to you, Sirs. You will find in our favor beyond any sort of reasonable doubt. No misconduct on my behalf, blameless.

Additional cites and Supreme Court ruling as per item:

a) Hansen v. Harrahs 675 p. 24 394 (NEV) (US) Supreme Court ruling employment-at-will rule (Centerpiece)

b) Walters v. Minter/International 758 Fed 73 (3d) Bodily harm due to emotional distress; isogenic in nature (wrongful discharge).

c) FRAUDULENT ACTS -- SEVEILLE INDUSTRIAL MACHINERY CORP V. SOUTHWEST MACHINERY CORP 742 F2d 786 (3rd cir) 1984.

Relief requested:

(a) A declaratory judgment that all of the defendants acts, policies, past and present practices described herein directly violates Plaintiff rights under the United States Constitution -- "As absolutes".

(b) Compensatory damage in the amount of $50 million for all influence of constructive and act right related within discrimination.

(c) Additional positive damages of grave suffering, chronic pain, isogenic harm as stated and observed by proof positive. The sum of $40 million due to needless stressful and unwarranted anxiety.

(d) A shifted and prime responsibility of United States Post Office of issues in conspiracy to abate trial by selection of jury coupled with no compassion, a court cost. They caused this miss.

(e) The sum of $23 million dollars.

(f) An order mandating all defendant/actions at USPO indicate Mr. Richard Rome and his direct associates. Employment consonant coupled by laws #18 USC and 1905 which requires and provides in part that they shall be removed from office of employment. GA 16-7 reports and saving principle with good applications. That redress and righteous judgment is done for the betterment of all to insure that this course of action is not repeated.

CONCLUSION:

For these multiple and valid reasons and strong merited positions of the Appellant coupled with preponderance of evidence set forth by law and thus requesting for the above advertments a writ of certiorari must be issued to reverse and revise the judgment and opinions of the courts in their motion of unjust jurisprudence for the safety, health and welfare of our postal service and personnel. A national attention in this connection of affairs must be approcriated by law in this matter of grave concern. Who knows who will be the next victim of the Postal Service?

Respectfully submitted,

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Pro-se
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*** *If this court elects not to address these vital issues at the very present time of this writ, it is requested that the writ issue and that the matter be remanded to the courts of appeals for re-determination in light of the Court's opinions, inconclusiveness, and civil rights issues dealing with the First, the Fifth, and the Fourteenth Amendment. I am not only representing myself, but unfortunately may be a representative of others who have had, or will have, the same experiences and needless pain and anxiety due to excessive cause precipitated by the U.S. Postal Service and their management thereof. The facts speak for themselves.*

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

PROF. DAVID HENRY HAAS, J.D. Plaintiff v. UNITED STATES POSTAL SERVICE, C/O GENERAL MAIL FACILITY, PITTSBURGH, PA, Defendant	)))))))	Civil Action No. 93-901 JUDGE LANCASTER MAGISTRATE JUDGE BENSON

MEMORANDUM ORDER

On June 25, 1993, this case was referred to United States Magistrate Judge Kenneth J. Benson for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. ∞636 (b) (1) (A) and (B), and Rules 3 and 4 of the Local Rules for Magistrates.

The magistrate judge's report and recommendation, filed on June 8, 1994, recommended that defendant's motion to dismiss (Docket #9) be granted, and that its motions for more definite statement (Docket #3 and #9) be denied as moot. The parties were allowed ten (10) days from the date of service to file objections. Service was made on plaintiff by certified mail delivery on June 9, 1994, and on counsel for defendant by first-class mail on June 8, 1994. Objections to the report and recommendation were filed by plaintiff on June 15, 1994 (Docket #15), and on June 27, 1994, a supplement to plaintiff's objections was filed (Docket #16). After de novo review of the pleadings and documents in the

case, together with the report and recommendation and objections thereto, the following order is entered:

AND NOW, this _____ day of _____, 1994;

IT IS HEREBY ORDERED that defendant's motion to dismiss (Docket #9) is granted, and the motions for more definite statement (Docket #3 and #9) are denied as moot.

The report and recommendation of United States Magistrate Judge Kenneth J. Benson, dated June 8, 1994 (Docket #13), is adopted as the opinion of the court.

_____

GARY D. LANCASTER

UNITED STATES DISTRICT JUDGE

cc: Honorable Kenneth J. Benson
United States Magistrate Judge

Prof. David Henry Haas, Pro se
P.O. Box 342
Oakmont, PA 15139

Paul E. Skirtich, Esquire
Assistant United States Attorney
633 U.S. Post Office & Courthouse
Pittsburgh, PA 15219

Shiela J. Callahan, Esquire
Law Department
Philadelphia Field Service
P.O. Box 40595
Philadelphia, PA 19197-0595

April 25, 1995

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 94-3388

Haas v U.S. Postal Service

Present: Mansmann, Circuit Judge

1. Motion by pro-se appellant for enlargement of page limitation for petition for rehearing.

2. Also enclosed is copy of petition for rehearing, sent for your information only.

_____

Kathleen O'Toole
Deputy Clerk
Direct Dial: 597-5846

----------ORDER----------

The foregoing Motion is/are *granted*

By the Court,

_____

Circuit Judge

Dated: May 03, 1995

APPENDIX B

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 94-3388

PROF. DAVID HENRY HAAS, J.D.

vs.

UNITED STATES POSTAL SERVICE
c/o GENERAL MAIL FACILITY, PITTSBURGH, PA

DAVID HENRY HAAS,
Appellant

SUR PETITION FOR REHEARING

Present: SLOVITER, Chief Judge
BECKER, STAPLETON, MANSMANN, GREENBERG,
HUTCHINSON, SCIRICA, COWEN, NYGAARD, ALITO,
ROTH, LEWIS, MCKEE and SAROKIN,
Circuit Judges.

The petition for rehearing filed by appellant in the above entitled case having been submitted to the judges who participated in the decision of this court and to all other available circuit judges of the circuit in regular active service, and no judge who concurred in the decisions having asked for rehearing, and the majority of the circuit judges of the circuit in regular active service not having voted for rehearing by the court in banc, the petition for rehearing is denied.

BY THE COURT,

Circuit Judge

May 24, 1995

APPENDIX C

Amendment ..... # I, V, and 14 to United States Constitution

Respectfully .....

Appendix D

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 94-3388

PROF. DAVID HENRY HAAS, J.D.
V.
UNITED STATES POSTAL SERVICE,
c/o GENERAL MAIL FACILITY, PITTSBURGH, PA

DAVID HENRY HAAS,
Appellant

Appeal from the United States District Court
for the Western District of Pennsylvania
(D.C. Civ. No. 93-cv-00901)
District Judge: Honorable Gary L. Lancaster

Submitted Under Third Circuit LAR 34.1 (a)
March 17, 1995
Before: MANSMANN, HUTCHINSON and LEWIS, Circuit Judges.

JUDGEMENT ORDER

After consideration of all contentions raised by the appellant, it is

ADJUDGED AND ORDERED that the judgment of the district court be and is herby affirmed.

Costs taxed against the appellant

BY THE COURT,

Circuit Judge

Certified as a true copy and issued in lieu of a formal mandate on June 1, 1995
Teste:

Attest::

P. Douglas SIsk, Clerk
May 31, 1995

Clerk, U.S. Court of Appeals for the Third Circuit

APPENDIX E

References to Unites States Constitution

1st Amendment

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof, or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

5th Amendment

No person shall be held to answer for a capital, or otherwise infamous, crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service, in time of war, or public danger; nor shall any person be subject, for the same offence, to be twice put in jeopardy of life or limb; nor shall be compelled, in any criminal case, to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

Amendment 14, Section 1

All persons born or naturalized in the United State, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law, nor deny any person within its jurisdiction the equal protection of the laws.

(2)

Supreme Court, U.S.
FILED
AUG 3 1995
CLERK

No. H 95-194

IN THE

SUPREME COURT OF THE UNITED STATES

TERM, 1995

DAVID HENRY HAAS
Adjunct Professor, J.D.

vs.

UNITED STATES POSTAL SERVICE
c/o General Mail Facility
Pittsburgh, PA

SUPPLEMENTAL APPENDIX

David Henry Haas, J.D.
Pro-se
P.O. Box 342
Oakmont, PA 15139
(412) 828-6760

12 pp

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

PROF. DAVID HENRY HAAS, J.D.	)	
Plaintiff	)	Civil Action No. 93-901
v.	)	JUDGE LANCASTER
UNITED STATES POSTAL	)	MAGISTRATE JUDGE
SERVICE,	)	BENSON
C/O GENERAL MAIL FACILITY,	)	
PITTSBURGH, PA,	)	
Defendant	)	

MEMORANDUM ORDER

On June 25, 1993, this case was referred to United States Magistrate Judge Kenneth J. Benson for pretrial proceedings in accordance with the Magistrates Act,28 U.S.C. ∞636 (b)(1)(A) and (B), and Rules 3 and 4 of the Local Rules for Magistrates.

The magistrate judge's report and recommendation, filed on June 8,1994, recommended that defendant's motion to dismiss (Docket #9) be granted, and that its motions for more definite statement (Docket #3 and #9) be denied as moot. The parties were allowed ten (10) days from the date of service to file objections. Service was made on plaintiff by certified mail delivery on June 9, 1994, and on counsel for defendant by first-class mail on June 8, 1994. Objections to the report and recommendation were filed by plaintiff on June 15, 1994 (Docket #15), and on June 27, 1994, a supplement to plaintiff's objections was filed (Docket #16). After de novo review of the pleadings and documents in the case, together with the report and recommendation and

objections thereto, the following order is entered:

AND NOW, this _____ day of _____, 1994;

IT IS HEREBY ORDERED that defendant's motion to dismiss (Docket #9) is granted, and the motions for more definite statement (Docket #3 and #9) are denied as moot.

The report and recommendation of United States Magistrate Judge Kenneth J. Benson, dated June 8, 1994 (Docket #13), is adopted as the opinion of the court.

GARY D. LANCASTER
UNITED STATES DISTRICT JUDGE

cc: Honorable Kenneth J. Benson
United States Magistrate Judge

Prof. David Henry Haas, Pro se
P.O. Box 342
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Paul E. Skirtich, Esquire
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633 U.S. Post Office & Courthouse
Pittsburgh, PA 15219

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SUPPLEMENTAL APPENDIX B

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

PROF. DAVID HENRY HAAS, J.D., Plaintiff,	)	
	)	Civil Action No. 93901
v.	)	JUDGE LANCASTER
	)	MAGISTRATE JUDGE
BENSON UNITED STATES POSTAL SERVICE, C/O GENERAL MAIL FACILITY, PITTSBURGH, PA, Defendant,	)	

MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

I. RECOMMENDATION

It is respectfully recommended that defendant's motion to dismiss (Docket #9) be granted, and that its motions for more definite statement (Docket #3 and #9) be denied as moot.

II. REPORT

The complaint in this case was filed by "Prof: David Henry Haas J.D. (In-Fact)" on June 8, 1993 (Docket #1). The pleading is ten pages long, six pages of which form the heart of the complaint. It is a document which is very hard to understand.

On July 19, 1993, the defendant United States Postal Service filed a Motion for a More Definite Statement (Docket #3) and a memo-

randum in support. In its motion the defendant states what must frankly be taken as the obvious truth: that the complaint "is so vague and ambiguous that defendant cannot frame a responsive pleading." The defendant also observes that it is unable to determine from a reading of the complaint whether service should have been effected in accordance with Fed.R.Civ.P. 4(d)(4) or 4(d)(5), and whether the plaintiff has named the proper party defendant In order for the defendant to be able to take a position on these latter two issues, it needs to understand the claims being asserted. And this the defendant reasonably cannot do.

On August 16, 1993, plaintiff filed a "Plaintiff Secure [sic] Motion for a More Definite Statement: In-Fact-Per Request" (Docket #8). This document can only be construed to be plaintiff' response to the defendant's motion. Whatever it may be, however, it is not a more definite statement of anything. Altogether, plaintiff's response is thirty-one pages long and at least as hard to understand as was the complaint.

On October 25, 1993, the defendant filed a Motion to Dismiss, or in the Alternative, Second Motion for a More Definite Statement (Docket #9) and a memorandum in support. Defendant noted therein that, in light of plaintiff's pleading at Docket #8, it now had even more concerns regarding preparing an answer, including whether defenses under the Federal Tort Claims Act or on the basis of subject matter jurisdiction are warranted. Plaintiff was directed to respond to the

motion on or before November 26, 1993 (Docket #11). On November 10, 1993, the Clerk received from Plaintiff an untitled document, consisting of eleven handwritten pages, and eight exhibits totaling fourteen more pages The document was returned to plaintiff on November 12, 1993, along with an order informing plaintiff that he could refile the document, with the request that he "Please indicate the title of enclosed document received November 10, 1993" (Docket #12). No response has been received from plaintiff to date. The court must assume that the November 10, 1993 submission is intended as plaintiff's response to defendant's latest motion. Hence, I have directed that the submission be docketed (Docket #13), although, quite frankly, the document neither addresses the issues raised by the motion, nor does it assist the court or defendant in interpreting the complaint. In any event, the court has received what it believes to be plaintiff's responses to both of defendant's motions. Therefore, those motions are now ripe for disposition.

LEGAL STANDARDS

Defendant asserts that plaintiff has failed to comply with this court's order to respond to the first motion for more definite statement, and that this action ought to be dismissed pursuant to Rule 12(e). That rule provides that "[i]f the motion is granted and the order of the court is not obeyed within 10 days after notice of the order ... the court may strike the

pleading ...." Here, however, the court has not granted defendant's motion for a more definite statement, it has merely ordered plaintiff to respond thereto. This plaintiff has done, albeit in a manner equally as confusing as his complaint.

It is also apparent, however, that plaintiff has notl filed a complaint which complies with the requirement of a "shortl and plain statement of the claim showing that the pleader is entitled to relief .... " F.R.Civ.P. 8(a). Further, his submission on two occasions of "responses" to motions for more definite statement which are equally, if not more, confusing than the complaint itself establish not only that plaintiff has not provided a short and plain statement of his claim(s), but also that plaintiff is incapable of doing so. I am convinced that plaintiff would be unable to file a comprehensible complaint even if directed to replead. Hence, although the request is for more definite statement, dismissal is the only appropriate result, since a direction to replead would do nothing but waste the valuable time of defendant's counsel and this court.

CONCLUSION

Wherefore, on the basis of the foregoing, it is respectfully recommended that defendant's motion to dismiss (Docket #9) be granted, and the motions for more definite statement (Docket #3 and #9) be denied as moot.

In accordance with the Magistrates Act, 28 U.S.C. Section 636(b)(1)(B) and (C), and Rule 4 of the Local Rules for Magistrates,

the parties are allowed ten (10) days from the date of service to file objections to this report.

KENNETH J. BENSON
UNITED STATES MAGISTRATE JUDGE

Dated June ____, 1994

cc: Prof. David Henry Haas, Pro se
363 Hulton Road
Oakmont, PA 15139
CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Prof. David Henry Haas, Pro se
P. 0. Box 342
Oakmont, PA 15139
CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Paul E. Skirtich, Esquire
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633 U. S. Post Office & Courthouse
Pittsburgh, PA 15219

Shiela J Callahan, Esquire
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Philadelphia Field Office
United States Postal Service
P.O. Box 40595
Philadelphia, PA 19197-0595

SUPPLEMENTAL APPENDIX C

THE CONCERNS OF DAVID HENRY HAAS, ADJ. PROF.
OF THE UNITED STATES OF AMERICA

PROF. DAVID HENRY HAAS, J.D.	)	
Plaintiff	)	Civil Action No. 95-194
v.	)	
UNITED STATES POSTAL SERVICE,	)	
C/O GENERAL MAIL FACILITY,	)	
PITTSBURGH, PA,	)	
Defendant	)	

I. No grounds for exoneration, in time, place and grave matter of prudent jurisprudence of overwhelming evidence thus now allowing the Plaintiff properly adjudicated redress into subject matters of grave awareness. Wilful and misrepresentative omission of authentic facts on crucial matters. Abating full due process on significant issues while taking upon themselves others restricting my full constitutional rights and administration thereof.

II. To allow myself federal magistrate proceedings. From the very onset when I emphatically denied to allow myself the right of selection of jury to engage in full rights not afforded to me under the U.S. Constitution and administration to allow this case not to be brought before a jury is unwarranted. The sufficiency of evidence of grave

injustice is very prevalent and substantial grounds to withstand the acid tests of trial by jury, and thus this course of action was injustice towards my civil rights.

III. Note: Congress, the Court and my selection is a critique of Title of #1 and #2 of the Civil Rights Provision Right of the Bill of 1966 - 52 Val. Rev. 1069, 1072-1074-1966 J.D. at 1075, 1080. A gross disenchantment of the mechanism of administrative policy arrangments while not affording the Plaintiff redress on overwhelming evidence. The injured (severely) is seeking a fresh solution to the problem in quest of avoiding ill-responsiveness and thus allowing more sensitivity to guaranteed Constitutional policy and rights thereof.

IV. Statements and Course of Action under 18 USC & 242 Sec., 18 USC and its counterparts of 42 USC 1983 and its derivatives from Sect. 2 of C.R. Act or 1866. This makes it a crime to:

(1) Who acts under "Color of Legal" authority to a willfully subject or U.S. inhabitant or take to deprive a U.S. born citizen his or her federal, Constitutional and statutory rights away (not allowing equal protection under the U.S. Constitution) and its statues of Sec of 1983 Civil Rights Act, while under Sec. 1983 and Provisions of Civil Remedies.

Meanwhile, the Department of Justice and Power of Prosecution under Sec. 242 can be brought to "prosecution" against federal personnel in Sec. 1983 thereof respectfully, so circumstantial evidence,

overwhelming facts are strictly prevalent and paramount. In this particular case of misrepresentations, omissions of U.S. Constitutional Rights, administrative and written xxxxx wthin the Complaint.

VI. Henceforth and thus summing up the consequence of acts and proof positive of harmful acts of the U.S. Postal Service intentional torts and others, my grave concern and high recommendations of this total subjected inequities is towards the U.S. Postal Service and jurisprudence proceeding and the coupling effects of that of U.S. Department of Justice is giving me just cause toward remedies of these inequities. While among other situations a judgment in favor of Plaintiff against all of Defense categorically, such fraudable judgment, and gross wanton Irregularities of Injustice are valid and cohesive in form and fashion. The only proper redress of material facts grossly construdes their evasion of my Constitutional Rights and Agreement under U.S. Constitution were severely interfered with. Determined falsehood has been endorsed and thus correctiveness of asserted behavior by all parties/personnel in such. It was illegal admission of Plaintiff's conveyance to be honestly adjucated. From the very onset until present consideration the injured person was not afforded equal protection by law to the injured party. Due to alleged conspiracy of full due process, not be fully warraned to a distinctly severely disabled person, in, out and around, mailed evidence of harmful torts against Plaintiff.

The Plaintiff doesn't have a mutual consent to agree with a federal magistrate judge under 28 USC #636(c)1 and thus inclines myself to a lesser that a full judge in order to preserve my Constitutional Rights to a trial by jury. There is no other way that in light of subject matter at that time that the Plaintiff would be awarded honest and competent law by an unbiased observer such as a jury. This undertaking was not sanctioned by the Appellant. The evidence in itself was/is more than sufficient to warrant a red flag on the merits of the case in light of other inequities of any or all parties of concern. A severely disabled person in effacent pain syndrome warranst more consideration and understanding of this case and administer law righteously in itself is a serious problem concern and again warrants full juris prudence instead of intellectual cover-up.

cc: Paul E. Skirtich, Esquire
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